

**Opening Statement
Chairman Mark Souder**

“Fiscal Year 2006 Drug Budget”

**Subcommittee on Criminal Justice, Drug Policy and Human Resources
Committee on Government Reform**

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Good afternoon, and thank you all for coming. I should begin by noting how pleased we are with the President's personal commitment to roll back the scourge of drug abuse in this country, as indicated by his four references to it in the State of the Union address. As he stated, we have seen a 19% decline in reported drug abuse among the nation's high school students since he took office, and this can certainly be traced, to no small extent, to the drug control commitment of Congress and the President over years of diligent work.

Leading the Administration's drug control effort is the Office of National Drug Control Policy (ONDCP). Congress created this Office to act as the President's principal advisor on drug control policy and program oversight and to lead the Nation's effort to combat the use, production and distribution of illegal drugs and all their negative consequences.

However, we members of Congress find ourselves growing increasingly alarmed with some of the proposals for drug control made by the President's appointees, and sanctioned by ONDCP. The Administration's just-released budget request for drug control has only fueled our fears.

To begin, we are deeply disturbed and surprised that the budget proposal categorizes drug control as a “non-Homeland Security” mission. This flatly contradicts the statute that established the Department of Homeland Security. Did the ONDCP see this coming? Did they fight it?

Next, what are we to make of the substantial reductions in assistance to state and local law enforcement agencies? The Administration proposes the complete elimination of the Edward Byrne Memorial Justice Assistance Grant program, which sustains vital drug investigations at the state and local level. The President's appointees also seek the elimination of the Counterdrug Technology Assessment Center's (CTAC) Technology Transfer Program, which helps to develop cutting-edge anti-drug technologies for state and local law enforcement. And they propose to set in motion a radical, yet mostly undefined restructuring of the High Intensity Drug Trafficking Areas (HIDTA) program into an apparently more federalized, top-down program controlled by Washington.

At first glance, these proposals seem to simply reflect a proper concern with excessive federal subsidization of local law enforcement. But while pursuing this national drug control strategy, can we forget that it is the state and local agencies that make 95% of all drug arrests and provide indispensable access to intelligence, investigative leads and resources that federal

agencies simply *must* have? If the Administration seeks to continue the positive trends in drug control, is this the time to be scaling back aid to and cooperation with State and local law enforcement?

We are especially puzzled, too, by the Administration's lack of a strategy to combat the abuse of methamphetamines. Though we were encouraged by the Administration's release of a "Synthetic Drugs Action Plan" in October 2004—followed by an interim report in April 2005—we are still waiting for a final report with concrete recommendations. Why is this? And why did the Administration provide no help to Congress when it was considering the Combat Methamphetamine Epidemic Act that is now a part of the Patriot Act? In fact, the State Department tried to knock out critical parts of the bill, while the New York Times reported that the FDA was working behind the scenes to block it.

Why did the Department of Health and Human Services, even as Congress was drafting the anti-meth bill, provide money and personnel to a meth conference where a keynote address was entitled, "We Don't Need a 'War' on Methamphetamine?" And why, if stopping meth is a serious goal, is the Administration attacking programs like the Byrne grants and HIDTA? Are we wrong to be dissatisfied? Shouldn't we expect a broader and more effective anti-meth strategy than that?

Next, we have serious questions about the Administration's real commitment to drug use prevention programs. ONDCP's just-released "National Drug Control Strategy" again lists prevention — stopping abuse before it starts — as one of the three "pillars" of drug control, together with treatment and enforcement. Yet, the Administration's budget requests even fewer dollars for prevention than last year.

For instance, the budget request calls for the outright elimination of the state grants portion of the Safe and Drug-Free Schools program, which is the largest prevention program we have. We know there have been problems with accountability and performance measurement, but ONDCP has never proposed any reforms, or even an alternative program. Why not fire the incumbent bureaucrats and reform the program, rather than kill it? Why throw the baby out with the bath water?

ONDCP did propose, and implement, serious and effective reforms to the National Youth Anti-Drug Media Campaign over the last few years. The recent reductions in student drug abuse vindicate those reforms. Yet every year, this Administration has reduced its request for the Campaign. This year, the Administration is finally asking for \$20 million more than Congress appropriated — but that only gets us back to where the Campaign was two years ago. To be a truly effective *national* media campaign, it must be national in scope. That requires more than just administrative reform; it requires adequate funding. Where are the dollars for that in this budget?

Other prevention programs — including the Drug-Free Communities program — are also flat-lined, or cut in this budget. How can the Administration claim prevention is one-third of its drug control strategy, when prevention programs constitute a mere one-tenth of its drug control

budget? While the raw dollar amount is not the sole measure of commitment, when it gets *that* low, shouldn't we worry?

Perhaps the most alarming problem is in the area of transit zone interdiction assets. This is especially true of maritime patrol aircraft (MPA). Among these, the most important are the P-3 airplanes, which have high operational capabilities and a broad array of sensors used in detecting and tracking drug smugglers. These aircraft are old and need repair. The Defense Department has already pulled its P-3s from drug interdiction use, leaving only the Customs and Border Protection P-3's in the "transit zone." Those Customs and Border Protection airplanes won't be able to carry out this mission indefinitely without either an overhaul, or a replacement aircraft.

So why, then, does the Administration propose to terminate the service life extension program, mandated by Congress for the P-3s, and spend all of the CBP Air's procurement funds on small helicopters for the Border Patrol? These helicopters may be fine for nabbing illegal immigrants, but how can they replace the P-3s over the open water in the Caribbean and the eastern Pacific?

In fact, the only MPA improvements we see in the proposed budget are for the Coast Guard's C-130s, which even the Coast Guard says cannot do the same job as the P-3s. In short, where is the plan to repair or replace the P-3s? Within a few years, won't we be blind at sea when trying to find the drug traffickers?

I have worked on the drug issue long enough to have witnessed what happens with drug abuse when commitment to prevent it flags. This is the kind of effort that requires staying relentlessly on the offensive. This means no relaxing of our efforts when certain trends are positive and no passivity in the face of pressure to divert funds and assets to other priorities or agencies. In short, while we *have* seen some progress in recent years, we cannot help but be concerned that the progress we see may have plateaued on top of a disintegrating anti-drug infrastructure. Atrophy seems to be setting in, and when drug use begins to spike again, will the federal government be able to punch back? Based on funding and leadership decisions being made today, how can we not be concerned?

These are serious questions that Congress needs to ask as it starts work on the annual appropriations bills. I'd like to thank ONDCP Director John Walters for joining us once again, to help answer those questions. I'm looking forward to your testimony, and to an extended discussion of drug control issues today.